

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 297/AT/2019

Subject : Application under Section 63 of the Electricity Act, 2003 for adoption of Transmission Charges with respect to the Transmission System being established by Khetri Transco Limited.

Petitioner : Powergrid Khetri Transco Limited (PKTL)

Respondents : ACME Solar Holdings Limited and Ors.

Date of Hearing : 19.11.2019

Coram : Shri P. K. Pujari, Chairperson
Dr. M. K. Iyer, Member
Shri I. S. Jha, Member

Parties Present : Shri B. Vamsi, PKTL
Shri D. Hari Kishore, PKTL
Shri Mani Kumar, PKTL
Shri Ankit Kumar, RECTPCL
Shri Amit Chatterjee, RECTPCL
Ms. Prerna, Advocate, S & P LLP

Record of Proceedings

The Representative of the Petitioner submitted that Power Grid Corporation of India Limited (PGCIL) has been selected as successful bidder in the Tariff Based Competitive Bidding Process conducted by Bid Process Coordinator (BPC), REC Transmission Projects Company Limited for selection of bidder to acquire the Transmission Service Provider to establish Transmission System for "Transmission System associated with LTA application from Rajasthan SEZ (Part- C)" on Build, Own, Operate and Maintain basis. Pursuant to bid process, Letter of Intent was issued to PGCIL on 31.7.2019 and PGCIL acquired Khetri Transco Limited on 29.8.2019 upon execution of Share Purchase Agreement. Accordingly, instant Petition has been filed for adoption of transmission charges under Section 63 of the Electricity Act, 2003.

2. The Representative of the Petitioner further submitted that there is delay by BPC in awarding of Lol and acquisition of SPV from the time-line envisaged in RfP documents which has to be treated as Force Majeure event. The Representative of the Petitioner submitted that BPC initially conveyed the acquisition price as Rs.16.52 crore which was subsequently revised by it to Rs. 16.64 crore which is also Change in Law event in terms of TSA.

3. After hearing the Representative of the Petitioner, the Commission directed the BPC, REC Transmission Projects Company Limited to provide on affidavit by



29.11.2019, copy of the Evaluation Report i.e. Annexure -2 of Bid Evaluation Committee recommendation dated 23.7.2019.

4. Subject to the above, the Commission reserved order in the Petition.

By order of the Commission

**Sd/-
(T.D. Pant)
Deputy Chief (Law)**

